

REMARKS

Claims 1-10 are all the claims pending in the application. By this Amendment, the claims are amended to address the Examiner's 35 U.S.C. § 112 rejections and to more clearly define the invention. These amendments are not believed to be narrowing. For at least the reasons herein, Applicant respectfully requests withdrawal of the rejections and objections, and allowance of the claims.

I. Objections

The specification stands objected to under 35 U.S.C. § 132, due to the alleged addition of new matter, as presented in the Appendix pages 12-14 of the April 4, 2003 Amendment. Further, the Examiner points out that additional clarification is required in the form of an explanation as to whether the language derives from the specification or drawing as originally filed.

Applicant notes that the previous Office Action objected to the drawings, and requested that Applicant add the subscripts to the specification without adding new matter. Accordingly, Applicant amended the application for this reason, and to correct minor typographical errors.

For example, but not by way of limitation, the amendment to page 14, 1st full paragraph is directed to correction of a typographical error in which reference character 26 was incorrectly entered as reference character 65 in the original specification.

With respect to the amendment to page 16, 1st full paragraph, the specification was amended to add the proper reference characters shown in the figures, thus overcoming the

objections to the drawings. For example, the length and width of the (m-1)th sheet was added to specification to correspond to step S1 as illustrated in Figure 2. It is well-known in the art that L is an abbreviation for length and W is an abbreviation for width when considering size of a sheet. Further, step S1 clearly illustrates that the dimensions are directed to the (m-1)th sheet.

Similarly, the amendment to the 2nd full paragraph of page 16, the added sentences merely state what is clearly illustrated and written at step S2 of application Figure 2. The nomenclature for length and width (e.g., L and W, respectively) is believed to be well-known in the art. Further, Applicant also respectfully submits that the nomenclature for temperature, T, is also well-known in the art, and the amendment to the specification merely spells out this well-known abbreviation of the figures to overcome the objection to the drawings in the previous Office Action.

The paragraph bridging pages 16 and 17 has been amended to further clarify the example being discussed. Because it is the length of the sheets as opposed to the sheets themselves that is being discussed with respect to the corresponding group, and that the lengths of the group would have a range, Applicant respectfully submits that the added language improves the clarity of the discussion of that example, and the one skilled in the art would clearly understand this description based on step S2 of application Figure 2.

The 1st full paragraph of page 17 has been amended in a similar manner, for improved clarity with respect to the discussion of step S5 of application Figure 2, as well as to add the abbreviations shown in application Figure 2 to the proper location in the specification.

It is believed that the foregoing amendments did not add new matter. In accordance with the Examiner's objection and the requirements thereto, it is believed that the foregoing explanation demonstrates that new matter has not been added to the specification under 35 U.S.C. § 132.

Accordingly, Applicant respectfully requests withdrawal of the objections to the specification as well as the drawings.

II. 35 U.S.C. § 112, 1st paragraph

A. Written Description

Claims 1-10 stand rejected under 35 U.S.C. § 112, 1st paragraph, due to alleged lack of written description. More specifically, the Examiner asserts that there is no written description of "said physical information including at least one of the size and *manufacturing material characteristics*" and "and heating of said thermal development sheet is performed prior to thermally developing said development sheet" as recited claims 1, 3, 5 and 6, and that there is no written description associated with "wherein a *means for heating* heats said thermal developing sheet prior to thermally developing said thermal developing sheet" as recited in claims 7 and 9. The Examiner specifically points to "manufacturing material characteristics," "mean[s] for heating heats," and "a material of which the thermal developing sheet is made." However, Applicant notes that there do not appear to be any grounds for the rejection of claims 8 and 10. Thus, withdrawal of the rejections of those claims is respectfully requested.

As shown in the foregoing amendments, Applicant has amended the claims to recite that the physical information includes material information, and that the physical information associated with the material information comprises heat capacity per unit area. Applicant points the Examiner to page 23, lines 15-18 and page 24, lines 5-12 for additional support for this amendment.

Additionally, Applicant has amended the claims to properly recite that the pre-heating is performed before the thermal development. Applicant refers the Examiner to application page 13, lines 6-8 for additional support in the specification. Applicant points the Examiner to page 16, lines 9-12 for support for this amendment.

Further, Applicant has amended the claims to alternatively define the temperature recovery time as a standby recovery time which is acquired based on the physical information. Applicant points the Examiner to page 16, lines 9-12 for support for this amendment.

Accordingly, Applicant respectfully submits that the pending claims as amended are properly supported by the specification. Further, the foregoing amendments are believed to provide clarification regarding these issues as well. Thus, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 112, 1st paragraph, as related to the written description requirement.

B. Enablement

Claims 1-4 stand rejected due to alleged lack of enablement under 35 U.S.C. § 112, 1st paragraph. More specifically, the Examiner asserts that the claims are not enabled with respect to

other manufacturing material characteristics of the thermal developing sheet, and how to determine the minimum recovering time by detecting the manufacturing characteristics or a material of which the thermal developing material is made. However, Applicant notes that there do not appear to be any grounds for the rejection of claims 8 and 10. Thus, withdrawal of the rejections of those claims is respectfully requested.

Applicant respectfully submits that the foregoing amendments related to the use of the heat capacity per unit area of the sheet as physical information overcome the enablement rejection. As noted above, the application supports the claims as amended. Therefore, Applicant respectfully requests withdrawal of the enablement rejections, and allowance of the claims.

III. 35 U.S.C. § 112, 2nd paragraph

Claims 1-10 stand rejected due to alleged indefiniteness under 35 U.S.C. § 112, 2nd paragraph. However, Applicant notes that there do not appear to be any grounds for the rejection of claims 8 and 10. Thus, withdrawal of the rejections of those claims is respectfully requested.

As shown in the foregoing amendments, the claims have been amended to address this rejection. Additionally, Applicant respectfully refers the Examiner to the foregoing discussion of the 35 U.S.C. § 112, 1st paragraph rejections. More specifically, the claims have been amended to point out that the preheating occurs before thermal developing, and that the physical information includes material information (e.g., heat capacity per unit area). Therefore, Applicant respectfully requests withdrawal of the rejections, and allowance of the claims.

IV. Allowable subject matter

Applicant thanks the Examiner for indicating that claims 1-10 are allowable over the prior art of record, and would be allowed if the 35 U.S.C. § 112 rejections are overcome. As discussed above, Applicant respectfully submits that the § 112 rejections have been properly addressed, and thus requests allowance of the claims.

V. Conclusion

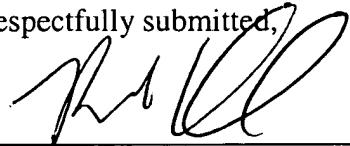
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 10/076,447

Attorney Docket No. Q68577

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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